



217/782-6761

Refer to: 0316500002 -- Cook County
LTV Steel Company
ILD056623598
Compliance File

EPA Region 5 Records Ctr.



307702

COMPLIANCE INQUIRY LETTER

Certified # P124 733 861

February 4, 1988

LTV Steel Company
Attn: Mr. Robert Voytko
3100 E. 45th Street
Cleveland, OH 44127

Dear Mr. Voytko:

The purpose of this letter is to address the status of the above-referenced facility in relation to the requirements of 35 Ill. Adm. Code Part 725 and to inquire as to your position with respect to the apparent violations identified in Attachment A and your plans to correct these apparent violations.

The Agency's findings of apparent non-compliance in Attachment A are based on a January 13, 1988 review of documents submitted to the Agency to demonstrate compliance with the requirements of Subpart H.

Please submit in writing, within fifteen (15) calendar days of the date of this letter, the reasons for the identified violations, a description of the steps which have been taken to correct the violations and a schedule, including dates, by which each violation will be resolved. The written response, and two copies of all documents submitted in reply to this letter, should be sent to the following:

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

Further, take notice that non-compliance with the requirements of the Illinois Environmental Protection Act and rules and regulations adopted thereunder may be the subject of enforcement action pursuant to either the Illinois Environmental Protection Act, Ill. Rev. Stat., Ch. 111 1/2, Sec. 1001 et seq. or the federal Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sec. 6901 et seq.



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If you have any questions regarding the above, please contact Andrew Vollmer at 217/782-6761.

Sincerely,

Angela Aye Tin

Angela Aye Tin, Manager
Technical Compliance Unit
Compliance Section
Division of Land Pollution Control

AAT:AY:JR:tf/0304j,51 *JA*

cc: Division File ✓
Maywood Region
Gary King
Andy Vollmer
John Richardson



Attachment A

1. Pursuant to 35 Ill. Adm. Code 725.242(b), during the active life of the facility, the owner or operator shall adjust the closure cost estimate for inflation within 60 days prior to the anniversary date of the establishment of the financial instruments used to comply with Section 725.243. For owners and operators using the financial test or corporate guarantee, the closure cost estimate must be updated for inflation within 30 days after the close of the firm's fiscal year and before submission of updated information to the Agency as specified in Section 725.243(e)(5). The adjustment may be made by recalculating the closure cost estimate in current dollars, or by using an inflation factor derived from the most recent annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business as specified in subsections (b)(1) and (b)(2). The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

1. The first adjustment is made by multiplying the closure cost estimate by the inflation factor. The result is the adjusted closure cost estimate.
2. Subsequent adjustments are made by multiplying the latest adjusted closure cost estimate by the latest inflation factor.

You are in apparent violation of 35 Ill. Adm. Code 725.242(b) for the following reason(s): You failed to update your closure cost as required.

2. Pursuant to 35 Ill. Adm. Code 725.243(b)(7), whenever the current closure cost estimate increases to an amount greater than the penal sum, the owner or operator, within 60 days after the increase, shall either cause the penal sum to be increased to an amount at least equal to the current closure cost estimate and submit evidence of such increase to the Agency, or obtain other financial assurance as specified in this Section to cover the increase. Whenever the current closure cost estimate decreases, the penal sum may be reduced to the amount of the current closure cost estimate following written approval by the Agency.

You are in apparent violation of 35 Ill. Adm. Code 725.243(b)(7) for the following reason(s): You failed to update your Financial Assurance document as required.

3. Pursuant to 35 Ill. Adm. Code 725.247(a), an owner or operator of a hazardous waste treatment, storage or disposal facility, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by sudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million,



exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (a)(1), (a)(2) and (a)(3).

You are in apparent violation of 35 Ill. Adm. Code 725.247(a) for the following reason(s): You failed to provide proof of liability coverage for sudden as required.

4. Pursuant to 35 Ill. Adm. Code 725.247(b), an owner or operator of a surface impoundment, landfill or land treatment facility which is used to manage hazardous waste, or a group of such facilities, shall demonstrate financial responsibility for bodily injury and property damage to third parties caused by nonsudden accidental occurrences arising from operations of the facility or group of facilities. The owner or operator shall have and maintain liability coverage for nonsudden accidental occurrences in the amount of at least \$3 million per occurrence with an annual aggregate of at least \$6 million, exclusive of legal defense costs. This liability coverage may be demonstrated in one of three ways, as specified in subsections (b)(1), (b)(2), and (b)(3).

You are in apparent violation of 35 Ill. Adm. Code 725.247(b) for the following reason(s): You failed to provide proof of liability coverage for non-sudden as required.

JR:tf/0304j.53-54